

EXHIBIT A

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

AZURITY PHARMACEUTICALS, INC.,

Plaintiff,

v.

BIONPHARMA INC., *et al.*,

Defendants.

C.A. No. 21-1286-MSG
(consolidated)

FILED UNDER SEAL—MAY CONTAIN
INFORMATION DESIGNATED BY
PLAINTIFF AS HIGHLY
CONFIDENTIAL

DECLARATION OF ROSHAN P. SHRESTHA, PH.D.

I, Roshan P. Shrestha, Ph.D., of full age, hereby declares as follows:

1. I am an attorney licensed to practice in Illinois and am a member of the firm, Taft Stettinius & Hollister LLP, counsel to Defendant Bionpharma Inc. (“Bionpharma”). In such capacity, I am fully familiar with the facts contained herein.

2. I submit this Declaration in support of Bionpharma’s Letter Requesting an Order Compelling Plaintiff Azurity to Provide Discovery Concerning Its Antitrust Document Collection Efforts.

3. Based on a review of Azurity production in these cases I have carried out, Azurity has produced approximately 922 documents—totaling approximately 17,936 pages—since June 22, 2021, the filing date of the 21-1286 action (originally filed as *Azurity Pharmaceuticals, Inc. v. Bionpharma Inc.*, No. 3:21-cv-12870 (D.N.J.)).

4. Of the approximately 922 documents Azurity has produced, approximately 440 of those documents are related to the patent claims and defenses in these cases (“patent production”), mostly consisting of patents, prosecution histories, inventor lab notebooks, and invalidity or infringement documents produced from related actions, including *Azurity Pharm., Inc. v. Alkem*

Labs. Ltd., C.A. No. 19-2100-MSG (D. Del.) and *Azurity Pharm., Inc. v. Annora Pharma Pvt. Ltd.*, C.A. No. 21-196-MSG (D. Del.). The remaining approximately 482 documents that Azurity has produced relate primarily to the antitrust claims and defenses in these cases (“antitrust-specific production”).

5. Broken down by pages, Azurity’s patent production totals to approximately 15,416 pages, while Azurity’s antitrust-specific production totals to approximately 2,520 pages.

6. Based on my review, I have created the following table summarizing Azurity’s production in the instant suits thus far:

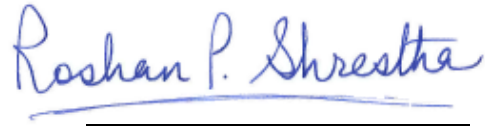
Production Date	Bates Range	Number of Documents	Description
02/10/2022	SLVGT-EPA_0107344 – SLVGT-EPA_0108290	4	U.S. Patent Nos. 11, 040,023 (the “’023 patent”) and 11,141,405 (the “’405 patent”) and file histories thereof.
09/12/2022	SLVGT-EPA_0108291 – SLVGT-EPA_0108360	9	Financial statements from 2019-2020; Epaned sales, Epaned Market, IQVIA, and pharmacies data.
09/23/2022	SLVGT-EPA_0108361 – SLVGT-EPA_0111666	8	U.S. Patent Nos. 10,772,868; 10,786,482; 10,799,476; 10,918,621, and file histories thereof.
10/18/2022	SLVGT-EPA_0111667 – SLVGT-EPA_0112291	6	The ’023 and ’405 patent file histories; Azurity Performance Summary 2022 presentation; Product Performance presentation.
11/01/2022	SLVGT-EPA_0112292 – SLVGT-EPA_0113213	26	Materials from <i>Azurity v. Amneal</i> (19-cv-678 (D. Del.) (consolidated)) litigation (expert reports, exhibits, and written discovery).
11/07/2022	SLVGT-EPA_0113214 – SLVGT-EPA_0121807	238	Materials from <i>Azurity v. Alkem</i> (19-cv-2100 (D. Del.) (consolidated)) litigation (expert reports and transcripts; Alkem Rule 30(b)(6) deposition notice; Little, Mahan, Miles, Beckloff, and Mosher deposition transcripts and exhibits thereto; written discovery).
11/29/2022	SLVGT-EPA_0121808 – SLVGT-EPA_0122017	116	Excel spreadsheets with prescription data; Amneal royalty calculations; Amneal manufacturing agreement; Amneal invoices; 2022Q3 Performance Summary Update presentation.
02/21/2023	SLVGT-EPA_0122018 – SLVGT-EPA_0122749	327 (166 slip-sheets for documents	Azurity-CoreRx email correspondence regarding settlement of <i>Azurity v. CoreRx</i> litigations; email correspondence regarding early filings and summons from <i>Bionpharma</i>

Production Date	Bates Range	Number of Documents	Description
		withheld on privilege grounds)	<i>v. CoreRx</i> (1:21-cv-10656 (SDNY)) case and decision from Second Circuit denying Azurity/CoreRx's motion to stay.
03/09/2023	SLVGT-EPA_0122750 – SLVGT-EPA_0122933	21	Enalapril monthly prescription data; IQVIA update; Amneal litigation settlement materials; Amneal royalty and purchase order materials; Azurity budget presentation from 2022; Azurity forecast presentation from 2022; laboratory notebook pages.
03/10/2023	AZU_NOV_0000001 – AZU_NOV_0000557	4	'023 patent and '405 patent and prosecution histories thereof.
04/25/2023	SLVGT-EPA_0122934 – SLVGT-EPA_0122947	7	Azurity (CutisPharma) board of directors meeting minutes from 2021-2022; Patel declaration submitted in <i>Bionpharma v. CoreRx</i> (SDNY) case.
5/19/2023	SLVGT-EPA_0122948 – SLVGT-EPA_0122986	3	Azurity organizational charts.
5/26/2023	SLVGT-EPA_0122987 – SLVGT-EPA_0124648	143	Azurity board meeting presentations; NovaQuest-Azurity monthly call agendas from 2020-2021; materials from <i>Azurity v. Annora</i> (21-cv-196 (D. Del.) (Consolidated)) litigation (written discovery, expert reports, infringement contentions, though production omits deposition transcripts); product complaint materials for Epaned powder products from 2014-2015.
6/2/2023	SLVGT-EPA_0124649 – SLVGT-EPA_0124722	10	Laboratory notebooks (<i>e.g.</i> , from Mosher, Miles) dated 2020 and 2022; data from experiments presented in excel spreadsheets.

7. While Azurity's March 9, 2023 production of documents that it had produced in response to a subpoena served in connection with *Bionpharma Inc. v. CoreRx, Inc.*, No. 1:21-cv-10656-JGK-VF (S.D.N.Y.) includes email correspondence between Azurity's and CoreRx's representatives, I have been unable to locate any other emails in Azurity's production in the instant suits.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Dated: June 9, 2023

A handwritten signature in blue ink that reads "Roshan P. Shrestha". The signature is written in a cursive style and is positioned above a horizontal line.

Roshan P. Shrestha, Ph.D.